Docket No.		
DUCKU INU.		

DECLARATION AND POWER OF ATTORNEY

clieve 1 am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: CEPHEM COMPOUNDS HAVING BROAD ANTIBACTERIAL SPECTRUM specification of which is attached hereto unless the following box is checked: was filed on as United States Application Number or PCT International Application Number PCT/JPC						
CEPHEM COMPOUNDS HAVING BROAD ANTIBACTERIAL SPECTRUM as genetification of which is attached hereto unless the following box is checked: was filed on	a below named inventor, I h	nereby declare th	hat:			
e specification of which is attached hereto unless the following box is checked: was filed on as United States Application Number or PCT International Application Number PCT/JPC and was amended on (if applicable). was filed on as United States Application Number or PCT International Application Number PCT/JPC and was amended on (if applicable). was filed on as United States Application Number or PCT International Application, including the claims, as amended the contents of the above-identified specification, including the claims, as amended the publication of the special publication which is known by me to be material to patentability as defined in Title 37, Code of gulations § 1.56. wereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United Delow and have also identified below any foreign application for patent or inventor's certificate, or PCT International application for patent or inventor's certificate, or PCT International application for patent or inventor's certificate, or PCT International application for patent or inventor's certificate, or PCT International application for patent or inventor's certificate, or PCT International application for patent or inventor's certificate, or PCT International application for patent or inventor's certificate, or PCT International application for patent or inventor's certificate, or PCT International application in the manner provided by the first paragraph of Title 35, United States (as a paragraph of Title 35, United	y residence, post office addre	ess, and citizens	hip are as stated below next to	ny name.		
e specification of which is attached hereto unless the following box is checked: was filed on as United States Application Number or PCT International Application Number PCT/JPC and was amended on (if applicable). sereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended the endment referred to above. sereby claim forcign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any forcign application(s) for inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United Delow and have also identified below any forcign application for patent or inventor's certificate, or PCT International application illing date before that of the application on which priority is claimed: Store	pelieve I am the original, first ted below) of the subject mat	and sole invento	or (if only one name is listed belimed and for which a patent is s	ow) or an origi	nal, first and joint inventor nvention entitled:	(if plural names
and was amended on	CEPHEM COMPOU	UNDS HAVIN	G BROAD ANTIBACTERIA	L SPECTRU	4	
and was amended on	e specification of which is atta	ached hereto un	less the following box is checke	d:		
cereby claim the benefit under Title 35, United States Code § 119(e) of any United States provise and application(s) listed below. APPLICATION NO. APPLICATION NO. APPLICATION NO. FILING DATE Cereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT Internation designation of the claims of the supplication of the prior United States, or PCT Internation of the prior United States application on which designated at least one country other than the United States delow and have also identified below any foreign application for patent or inventor's certificate, or PCT International application filing date before that of the application on which priority is claimed: **RIOR FORE**:GN APPLICATION(S)** **UMBER** COUNTRY** DAY/MONTH/YEAR FILED PRIORICLAIM 2002-073526 Japan 18/03/2002 Yes **APPLICATION NO. FILING DATE **COUNTRY** APPLICATION NO. FILING DATE **COUNTRY* APPLICATION NO. FILING DA	was filed on and was amend	ded on	ited States Application Number (if application)	or PCT Internation	tional Application Number	PCT/JP03/0
ereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(c) of any PCT International displication in the manner provided by the first paragraph of Title 35, United States 2, I acknowledge the duty to disclose information which is known by me to be material to patentiability as defined in Title 37, Code of gulations § 1.56 which became available between the filing date of the prior applicational or policational filip.	nereby state that I have review nendment referred to above.	ved and understa	and the contents of the above-ide	ntified specific	ation, including the claims,	as amended by a
hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United ted below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application filing date before that of the application on which priority is claimed: RIOR FORE GN APPLICATION(S) VUMBER	icknowledge the duty to discle	ose information	which is known by me to be ma	aterial to paten	tability as defined in Title :	37, Code of Fede
ereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below. APPLICATION NO. FILING DATE ereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT Interplication designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not dithe prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States (2, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of gulations § 1.56 which became available between the filling date of the prior application and the national or PCT International fill			Fitle 35, United States Code, § Tinternational application which foreign application for patent or hich priority is claimed:	l 19(a)-(d) or § n designated at inventor's cert	365(b) of any foreign appleast one country other that ificate, or PCT Internations	lication(s) for pat n the United Stat al application hav
APPLICATION NO. APPLICATION NO. FILING DATE Prication designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not dithe prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States (2, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of guilations § 1.56 which became available between the filling date of the prior application of PCT International or PCT Inte	:«UMBER		COUNTRY	DAY	//MONTH/YEAR FILED	PRIORITY CLAIMED
dereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT Interplication designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not do the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States of 2, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code gulations § 1.56 which became available between the filing date of the prior application and the national or PCT International file.	2002-073526		Japan		18/03/2002	Yes
ereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT Interplication designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not destroy the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States or PCT International on the manner provided by the first paragraph of Title 35, United States or PCT International which is known by me to be material to patentability as defined in Title 37, Code of gulations § 1.56 which became available between the filing date of the prior application and the national or PCT International file			<u></u>			
ereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT Interplication designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not designating the United States or PCT International application in the manner provided by the first paragraph of Title 35, United States 2, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of gulations § 1.56 which became available between the filing date of the prior application and the national or PCT International file					 	<u> </u>
APPLICATION NO. FILING DATE Thereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT Interplication designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not designating the United States or PCT International application in the manner provided by the first paragraph of Title 35, United States of 2, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of gulations § 1.56 which became available between the filing date of the prior application and the national or PCT International file.						
dereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT Interplication designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not do the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States of 2, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code gulations § 1.56 which became available between the filing date of the prior application and the national or PCT International file.						
the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States (2, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of gulations § 1.56 which became available between the filing date of the prior application and the national or PCT International fill				United States p	,	ted below.
the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States (2, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of gulations § 1.56 which became available between the filing date of the prior application and the national or PCT International fill				United States p	,	ted below.
the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States (2, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of gulations § 1.56 which became available between the filing date of the prior application and the national or PCT International fill				Jnited States p	,	ted below.
				Jnited States p	,	ted below.
APPLICATION SERIAL NO. FILING DATE STATUS: PATENTED, PENDING ABANDONED	nereby claim the benefit under plication designating the Unite the prior United States or PC 2, I acknowledge the duty to d	Title 35, United States, listed by Tinternational isclose informat	d States Code, § 120 of any Unipelow and, insofar as the subject application in the manner provision which is known by me to be:	ted States appli matter of each ded by the firs naterial to pate	FILING DATE cation(s), or § 365(c) of an of the claims of this applica t paragraph of Title 35, Ur ntability as defined in Title	y PCT Internatio tion is not disclor ited States Code 37, Code of Fede
	ereby claim the benefit under plication designating the Unite the prior United States or PC 2, I acknowledge the duty to d gulations § 1.56 which becan this application:	Title 35, United of States, listed to T International isclose informatine available between the state of the	d States Code, § 120 of any Unicelow and, insofar as the subject application in the manner provision which is known by me to be sween the filing date of the prior	ted States appli matter of each ded by the firs naterial to pate	cation(s), or § 365(c) of an of the claims of this applica t paragraph of Title 35, Ur ntability as defined in Title d the national or PCT Inte	y PCT Internatition is not dischited States Cod 37, Code of Fedrnational filing
	ereby claim the benefit under plication designating the Unite the prior United States or PC 2, I acknowledge the duty to d gulations § 1.56 which becan this application:	Title 35, United of States, listed to T International isclose informatine available between the state of the	d States Code, § 120 of any Unicelow and, insofar as the subject application in the manner provision which is known by me to be sween the filing date of the prior	ted States appli matter of each ded by the firs naterial to pate	cation(s), or § 365(c) of an of the claims of this applica t paragraph of Title 35, Ur ntability as defined in Title d the national or PCT Inte	y PCT Internation is not disclonist at the Code of Federnational filing of PENDING,

I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Patricia D. Granados, Reg. No. 33,683; John P. Isacson, Reg. No. 33,715; Donald D. Jeffery, Reg. No. 19,980; Eugene M. Lee, Reg. No. 32,039; Richard Linn, Reg. No.25,144; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; George E. Quillin, Reg. No. 32,792; Colin G. Sandercock, Reg. No. 31,298; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Arthur Schwartz, Reg. No. 22,115; Harold C. Wegner, Reg. No. 25,258; Stephen B. Maebius, Reg. No. 35,264.

Address all correspondence to FOLEY & LARDNER, 3000 K Street, N.W., Suite 500, Washington, DC 20007-5109. Address telephone communications to <u>Stephen B. Maebius</u> at (202) 672-5569.

Docket No.	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

	Full Name of First or Sole Inventor		Signature of First or Sole Inventor Date			
. 0	Yasuhiro NISHITANI		Yazulina N	Shitani Country of Citizensh	23/07/2004	
	Residence Address		1	Country of Citizensh	ip	
	Osaka-shi, Osaka JP)		V	Japan		
	Post Office Address					
	c/o Shionogi & Co., Ltd					
Į	12-4, Sagisu 5-chome, Fr	ukushima-ku, Osaka-shi	i, Osaka 553-0	0002 JAPAN		
ı	Full Name of Second Inventor	-	Signature of Seco	ond Inventor	Date	
. 🛛	Yoshinori YAMANO		Yoshinori	Yumano Country of Citizensh	26/07/2004	
	Residence Address			Country of Citizensh	цр	
	Toyonaka-shi, Osaka 🗇	>X		Japan .		
ı	Post Office Address	· 				
	<pre>c/o Shionogi & Co., Ltd 1-1, Futabacho 3-chome,</pre>			τ		
L	i i i i i i i i i i i i i i i i i i i	Toyonaka Siii, Osaka S	001-0025 OAFAI		-35	
	Full Name of Third Inventor		Signature of This	d Inventor	Date	
		•				
-	Residence Address			Country of Citizensh	<u> </u>	
					P	
	Post Office Address	· · · · · · · · · · · · · · · · · · ·				
	Fost Office Address					
- [ř	Full Name of Fourth Inventor		6:	AL T	T 5-4-	
	ruli Name of Fourth inventor	:	Signature of Fourth Inventor		Date	
	Residence Address			Country of Citizensh	ip	
	Post Office Address	·				
			•			
L	~					
F	Full Name of Fifth Inventor		Signature of Fifth	Inventor	Date	
]	
-	Residence Address		Country of (Sitizonohin	
	Accidence Address			Country of Citizensh	1Þ	
	Lating and the same					
	Post Office Address					
ĮL,						

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 067242-0174

Applicant:

Yasuhiro NISHITANI et al.

Title:

CEPHEM COMPOUNDS HAVING BROAD

ANTIBACTERIAL SPECTRUM

Appl. No.:

Unassigned

Filing Date:

09/13/2004

Examiner:

Unassigned

Art Unit:

Unassigned

STATEMENT UNDER 37 C.F.R. §1.32(c)(3)

DESIGNATING NO MORE THAN TEN

PATENT PRACTITIONERS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §1.32(c)(3), the following ten or fewer patent practitioners named in the Power of Attorney should be recognized by the Office as being of record in the above identified application or patent.

Attorney Name

Registration Number

Respectfully submitted,

Stephen B. Maebius

Attorney for Applicant Registration No. 35,264

Michael MANNIN Reg No. 34,717

Stephen B. Maebius

35,264

September 13, 2004

FOLEY & LARDNER LLP

Customer Number: 22428/

Telephone:

(202) 672-5569

Facsimile:

(202) 672-5399